

Community Gardens template policy

This policy template was prepared to assist Northern Rivers Food Links Councils to develop a Community Gardens Policy.

Objectives

*** Council recognises the importance of providing support for, community groups and families to participate in providing a secure food future locally.

Providing for community gardens projects supports:

- access to fresh food by the broader community
- food security
- developing social capital by encouraging people to interact with each other across ages and cultures
- involvement of people in healthy physical activity
- reducing food miles
- providing skills development and learning opportunities
- integration of community gardens into new residential developments
- demonstration of best practice sustainable design features.
- building the skills for food growing in the region

Community gardening makes productive use of land in villages, towns and cities. It puts to practical use small patches of neglected or unproductive lands such as lawns that may consume unnecessary water and fossil fuels in their maintenance.

In addition to supporting community action, this policy also aims to ensure the prevention of damage to Council's underground water, gas, sewerage and stormwater services, maintain access to services, residences and businesses and manage complimentary uses of parks and public reserves.

Scope

The Community Gardens Policy applies to all public land as well as private land, and is designed to identify the minimum requirements in regards to an application to operate a community garden.

The key principle embodied in this policy is that community gardens should be initiated, designed, constructed and operated by local residents with support from Council.

Definitions

The following definitions are provided to assist in understanding the requirements of this policy.

Built-up area – has a public road that is illuminated by street lighting located at intervals of not more than 100 metres for a distance of not less than 500 metres.

Commercial – an intention to gain cash profits for private individuals by way of producing something for sale

Community garden - are gardens created and maintained on public or private land by people who come together to learn about, participate in and share the rewards of gardening activities. Primarily they are a not-for-profit, community based enterprise producing food for the consumption of the gardeners. Any profits that are produced are re-invested in the garden.

Related legislation, policies and procedures

Attachment 1 Community gardens self-assessment checklist

Attachment 2 Community gardens guidelines

Attachment 3 Australian City Farms and Community Gardens Network - Checklist to consider prior to establishing a community garden

Attachment 4 Staff checklist – Community garden

Attachment 5 Application for approval to establish a community garden

Attachment 6 Prohibited plants list – Community gardens

Attachment 7 Community gardens – suggested trees and shrubs list

Attachment 8 Community gardens resource list

**** Council** Community Strategic Plan

**** Council** Development Control Plan

**** Council** Policies

**** Council** Local Environmental Plan

Crown Lands Act 1989

Food Act 2003

Local Government Act 1993

North Coast Regional Code for the sale of food at markets and temporary events

Relevant Plans of Management for parcels of public land

Roads Act 1993

State Environmental Planning Policy (Infrastructure) 2007

Others?

Mandatory Inclusions:

[Council to insert any specific details they require as a "must do / have"]

1. Council requires a formal application and approvals process for community gardens to occur to ensure suitable locations are utilised, appropriate species are used, pedestrian movement is maintained.
2. The use of community land for a community garden must be authorised by the relevant plan of management.
3. To facilitate community gardening within the **** Council** area, the Local Environment Plan (LEP) will include community gardens as exempt or complying development provided that applicants go through the application process for new gardens as outlined in this policy. Common elements of a community garden such as rainwater tanks, fences and solar photovoltaic systems are currently already listed as exempt development according to certain specifications. **OR**

Community gardening within the **** Council** area will require the submission of a Development Application as outlined in this policy. Common elements of a

community garden such as rainwater tanks, fences and solar photovoltaic systems may be listed as exempt or complying development according to certain specifications.

4. All proponents will have public liability cover of \$10,000,000 or be auspiced by an organisation with public liability cover of \$10,000,000.
5. Council will provide assistance to groups to identify appropriate sites for community gardening activities.
6. No retaining walls, trees, shrubs, hard landscaping or massed plantings or physical structure with hard edges or rockeries to be placed within the footpath or nature strip within road reserves and drainage easements controlled by Council unless it complies with this policy and guidelines.
7. Council reserves the right to remove any tree, shrub, planting or landscaping, deemed to present a safety problem or a maintenance problem.
8. Infrastructure must not interfere with overhead or underground services or restrict the movement of the public or motorists.
9. Council will determine appropriate fees to be submitted with applications for an agreement / approval, licence or lease to operate community gardens on public land. Alternatively, Council may decide to waive any such fees.
10. Council will determine appropriate fees to be submitted with Development Applications for community gardens on private land as noted in the Management Plan. Council may decide to waive any such fees.
11. Applicants will enter a formalised agreement / approval, licence or lease with Council should their application be successful.
12. Council may consider entering an agreement with the group to provide assistance to volunteers working in community gardens in the form of provision of necessary materials, mower fuel and plant stock or an annual monetary contribution, however Council will not be responsible for the maintenance of private equipment used in exercising this policy.
13. Council will determine appropriate fees for water and/ or electricity use. Council may decide to waive any such fees.

Policy Review

This policy will be reviewed annually following assessment of the outcomes from each community garden approved, to ensure the processes and sustainability outcomes are consistent with the policy objectives.